

20-MJ-6576-MPK

**AFFIDAVIT OF SPECIAL AGENT TIMOTHY TABER IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Special Agent Timothy Taber, state:

PURPOSE OF AFFIDAVIT

1. On September 10, 2020, along with other federal agents and law enforcement officers, I commenced execution of a search warrant issued by this Court, 20-MJ-6562 (“Search Warrant 1”), of the premises located at 1988 Middlesex Street, Apartment 22, Lowell, MA (“SW1 SUBJECT PREMISES”). The affidavit submitted in support of Search Warrant 1 is attached hereto as **Exhibit A** and incorporated by reference. This search was conducted in connection with a criminal investigation of Arialka MOYA (“MOYA”) relating to possible violations of, among other statutes, 42 U.S.C. § 408(a)(7)(B), false representation of a social security number; 18 U.S.C. § 1343, wire fraud; and 18 U.S.C. § 1028A, aggravated identity theft.

2. I am submitting this affidavit in support of the search of one green 2007 BMW 3-series sedan with VIN No. WBAVC73517KP31206 and bearing MA registration plates 2CMT24 (the “Target Vehicle”) for evidence, fruits, and instrumentalities of the above-listed offenses, as well as for evidence, fruits, and instrumentalities of violations of 18 U.S.C. § 922(g), felon in possession of a firearm and ammunition (collectively, the “Target Offenses”). The Target Vehicle is currently located at the SW1 SUBJECT PREMISES.

3. At the outset of the search of SW1 SUBJECT PREMISES, law enforcement agents and officers encountered MOYA and another individual, Rashad DIGGS (“DIGGS”), in the bedroom of the house.

4. During the course of the search of SW1 SUBJECT PREMISES, the following items were recovered, among other things: approximately four grams of crack cocaine,

approximately 180 grams of Xanax in pill form, a Smith & Wesson handgun magazine which was loaded with six .45 caliber bullets, multiple fraudulent driver's licenses in different names bearing MOYA's photograph, and a ledger titled "the code talk we will use from today forward while talking over these prison phones concerning the profiles."

5. A review of MOYA's criminal record revealed that MOYA has been convicted of a crime punishable by more than one year in prison, specifically violation(s) of 266 M.G.L. § 60, receipt of stolen property. Her possession of ammunition, including the above-mentioned loaded handgun magazine, is a violation of 18 U.S.C. § 922(g)

6. I know, based on my training and experience, that people who are found in possession of multiple fraudulent identity documents in their home, including those like the fraudulent driver's licenses described above, also frequently store such identity documents in their vehicles.

7. I know, based on my training and experience, that (a) people who possess loaded handgun magazines oftentimes also possess one or more handguns with which the magazines may be used and/or additional ammunition, and (b) people who possess handguns frequently store handguns and/or ammunition in vehicles which they own or otherwise drive.

8. No handgun was recovered during the search of SW1 SUBJECT PREMISES.

CONCLUSION

9. Based on the information described above, I have probable cause to believe that evidence, fruits, and instrumentalities of the Target Offenses, as described in Attachment B, are

located in the Target Vehicle, as described further in Attachment A.

Sworn to under the pains and penalties of perjury,

/s/ Timothy Taber

Timothy Taber, Special Agent
Homeland Security Investigations

Subscribed and sworn to via telephone in accordance with
Fed. R. Crim. P. 4.1 on September ___, 2020. On September 10, 2020



Hon. M. Page Kelley
Chief United States Magistrate Judge



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ATTACHMENT A

DESCRIPTION OF THE ITEMS TO BE SEARCHED

The items to be searched are one green 2007 BMW 3-series sedan with VIN No. WBAVC73517KP31206 and bearing MA registration plates 2CMT24. The vehicle is registered to MOYA and is currently located at the SW1 SUBJECT PREMISES.

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ATTACHMENT B

Evidence to Be Searched for and Seized

Evidence, fruits, and instrumentalities of violations of 42 U.S.C. § 408(a)(7)(B), 18 U.S.C. § 1028A, 18 U.S.C. § 1343, and/or 18 U.S.C. § 922(g) (the “TARGET OFFENSES”), including but not limited to:

1. Any government-issued or apparently government-issued identification documents, notes, statements, and/or receipts that reference same;
2. Any fraudulent, stolen, or apparently fraudulent or stolen identification documents, as well as any records and communications relating to same, and any tangible items used to create or modify any identification documents;
3. Any fraudulent, stolen, or apparently fraudulent or stolen credit cards, bank cards, and records, communications, and other documents related to the same, and any tangible items used to create or modify any credit or bank cards;
4. Bank records and credit card records from January 1, 2018 to the date of execution of the warrant;
5. Records, communications, and other documents relating to the purchase or attempted purchase, financing, insuring, registration, titling, re-titling, and/or sale of any automobile and/or other vehicle, as well as funds relating to same;
6. Records, communications, and other documents relating to the movement, shipment, or export of any automobile and/or other vehicle, as well as funds relating to same;
7. Records, communications, and other documents relating to any alias or imposter identity used to purchase or attempt to purchase any automobile and/or other vehicle; identification documents, credit or bank cards, or other records in the name(s) of such

- aliases; and/or any records relating to other accounts in the name(s) of such aliases;
8. Records relating to any purchase, sale, or other transaction conducted in any alias or imposter identity, or any account opened up under an alias or imposter identity;
 9. Communications with any individual involved with committing and/or conspiring to commit any of the TARGET OFFENSES;
 10. Communications with any individual who participated in the planning or execution of any purchase, sale, or other transaction conducted in any alias or imposter identity, or who participated in the opening or use of any account opened under an alias or imposter identity;
 11. Receipts and other records relating to the expenditure of funds associated with any purchase, sale, or other transaction conducted in any alias or imposter identity;
 12. Records relating to any of the proceeds derived from any of the TARGET OFFENSES, including records showing the receipt, transfer, spending, or use of such proceeds;
 13. Records and tangible objects relating to the ownership, occupancy, control, or use of the premises to be searched (such as utility bills, phone bills, bank statements, rent payments, insurance documentation, receipts, check registers, and correspondence);
 14. Records and tangible objects relating to the ownership, control, or use of any vehicle, phone, or other device used in furtherance of any of the TARGET OFFENSES; and
 15. Bulk cash and high-value items believed to be the proceeds or fruits of fraudulent credit card transactions or stolen car sales.
 16. Any firearm(s) or ammunition, as well as any parts thereof and/or documents and records relating thereto.